



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
DEAN IRWIN )  
Serial No.: UNASSIGNED )  
Filed: HEREWITH )  
For: COLOR PROJECTION SYSTEM )  
EMPLOYING DUAL MONOCHROME )  
LIQUID CRYSTAL DISPLAYS )

San Francisco, California

Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

DECLARATION CLAIMING SMALL ENTITY STATUS -  
SMALL BUSINESS CONCERN

Sir:

I, DEAN IRWIN, hereby declare as follows:

I am <sup>Vice</sup> PRESIDENT of WAH-III TECHNOLOGY CORPORATION, located  
at 16 Digital Drive, #202, Novato, California 94949-5759 (the  
"Company").

The Company qualifies as a Small Business Concern, under  
the definition given below, for the purpose of paying reduced fees  
to the United States Patent and Trademark Office in connection with  
the prosecution and maintenance of the above-identified patent  
application. Exclusive rights to the invention of the above-  
identified patent application have been conveyed to and remain with  
the Company.

By "Small Business Concern" is meant any business concern  
(1) whose number of employees, including those of its Affiliates,

does not exceed 500 persons and (2) which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an Independent Inventor if that person had made the invention, or to any concern which would not qualify as a Small Business Concern or a Nonprofit Organization. Concerns are "Affiliates" of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the persons employed during each of the pay periods of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern.

By "Independent Inventor" is meant any inventor who (1) has not assigned, granted, conveyed, or licensed, and (2) is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not likewise be classified as an Independent Inventor if that person had made the invention, or to any concern which would not qualify as a Small Business Concern or a Nonprofit Organization.

By "Nonprofit Organization" is meant any of the following:

(1) a university or other institution of higher education located in any country; or

(2) an organization of the type described in Section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S. 501(c)(3))

and exempt from taxation under Section 501(a) of the Internal Revenue Code (26 U.S. 501(a)); or

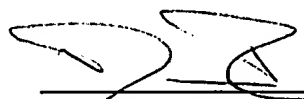
(3) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 U.S. 201(i)); or

(4) any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under subparagraphs (2) or (3) immediately above if it were located in this country.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: Oct 17, 1995

  
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Dean Irwin

(Atty. Docket: WAH.008US0)



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DEAN IRWIN )

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San Francisco, California

Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

DECLARATION CLAIMING SMALL ENTITY STATUS -  
SMALL BUSINESS CONCERN

Sir:

I, LAWRENCE MATTESON, hereby declare as follows:

I am CHAIRMAN of SAYETT GROUP, INC., located at 17 Tobey Village Office Park, Pittsford, New York 14534 (the "Company").

The Company is an "Affiliate" of WAH-III Corporation, which has been assigned the exclusive rights to the invention of the above-identified patent application.

The Company qualifies as a Small Business Concern, under the definition given below, for the purpose of paying reduced fees to the United States Patent and Trademark Office in connection with the prosecution and maintenance of the above-identified patent application.

By "Small Business Concern" is meant any business concern (1) whose number of employees, including those of its Affiliates,

does not exceed 500 persons and (2) which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an Independent Inventor if that person had made the invention, or to any concern which would not qualify as a Small Business Concern or a Nonprofit Organization. Concerns are "Affiliates" of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the persons employed during each of the pay periods of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern.

By "Independent Inventor" is meant any inventor who (1) has not assigned, granted, conveyed, or licensed, and (2) is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not likewise be classified as an Independent Inventor if that person had made the invention, or to any concern which would not qualify as a Small Business Concern or a Nonprofit Organization.

By "Nonprofit Organization" is meant any of the following:

(1) a university or other institution of higher education located in any country; or

(2) an organization of the type described in Section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S. 501(c)(3))

and exempt from taxation under Section 501(a) of the Internal Revenue Code (26 U.S. 501(a)); or

(3) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 U.S. 201(i)); or

(4) any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under subparagraphs (2) or (3) immediately above if it were located in this country.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: 10/17/95

Lawrence Matteson  
Lawrence Matteson

(Atty. Docket: WAH.008US0)

PATENT APPLICATION DECLARATION  
(Attorney's Docket No.: WAH.008US0)

I, Dean Irwin, declare as follows:

1. My residence, post office address and country of citizenship given below are true and correct.

2. I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought in the attached patent application entitled "COLOR PROJECTION SYSTEM EMPLOYING DUAL MONOCHROME LIQUID CRYSTAL DISPLAYS," and I have reviewed and understand the contents of the specification, including its claims.

3. I acknowledge my duty to disclose to the Office all information known to me to be material to patentability of this application, in accordance with 37 C.F.R. Section 1.56, which is defined on the attached page.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Additionally, the undersigned hereby appoints the following as his attorneys and agents to prosecute said patent application, to transact all business in the Patent and Trademark Office connected therewith, to receive the original Letters Patent and to substitute or associate other attorneys on his behalf:

Gerald P. Parsons	Registration No. <u>24,486</u>
Martin F. Majestic	Registration No. <u>25,695</u>
J. Suzanne Siebert	Registration No. <u>28,758</u>
James S. Hsue	Registration No. <u>29,545</u>
Keiichi Nishimura	Registration No. <u>29,093</u>
Philip Yau	Registration No. <u>32,892</u>
Victor H. Okumoto	Registration No. <u>35,973</u>
Joseph P. O'Malley	Registration No. <u>36,226</u>
George L. Fountain	Registration No. <u>36,374</u>

(11)

K. Alison de Runtz  
Dean E. Wolf

Registration No. 37,119  
Registration No. 37,260

Please send all correspondence to:

Victor H. Okumoto Esq.  
MAJESTIC, PARSONS, SIEBERT & HSUE  
Four Embarcadero Center, Suite 1450  
San Francisco, CA 94111-4121

Telephone: 415/362-5556  
Facsimile: 415/362-5418

Date:

Oct 17, 1995

Dean Irwin

Residence and 30 Prestwick Court  
Post Office Address: Novato, California 94949  
(Citizenship: U.S.A.)

CA



## Section 1.56 Duty to Disclose Information Material to Patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.